

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DESIGNATION FORM**

*(to be used by counsel to indicate the category of the case for the purpose of assignment to the appropriate calendar)*

Address of Plaintiff: 8111 Westchester Drive, Suite 400, Dallas, Texas 75225

Address of Defendant: 2100 Frankfurst Avenue, Baltimore, Maryland 21226

Place of Accident, Incident or Transaction: Delaware River at 100 Green Street, Marcus Hook, Pennsylvania 19061

**RELATED CASE IF ANY:**

Case Number: \_\_\_\_\_ Judge: \_\_\_\_\_ Date Terminated \_\_\_\_\_

Civil cases are deemed related when **Yes** is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes  No
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit Pending or within one year previously terminated action in this court? Yes  No
3. Does this case involve the validity or infringement of a patent already in suit or any earlier Numbered case pending or within one year previously terminated action of this court? Yes  No
4. Is this case a second or successive habeas corpus, social security appeal, or pro se case filed by the same individual? Yes  No

I certify that, to my knowledge, the within case  **is** /  **is not** related to any now pending or within one year previously terminated action in this court except as note above.

DATE: 9/14/23

/s/ James T. DiMarco

309242

*Attorney-at-Law (**Must sign above**)*

*Attorney I.D. # (if applicable)*

**Civil (Place a √ in one category only)****A. Federal Question Cases:**

- 1. Indemnity Contract, Marine Contract, and All Other Contracts
- 2. FELA
- 3. Jones Act-Personal Injury
- 4. Antitrust
- 5. Wage and Hour Class Action/Collective Action
- 6. Patent
- 7. Copyright/Trademark
- 8. Employment
- 9. Labor-Management Relations
- 10. Civil Rights
- 11. Habeas Corpus
- 12. Securities Cases
- 13. Social Security Review Cases
- 14. Qui Tam Cases
- 15. All Other Federal Question Cases. (*Please specify*): 28 U.S.C. 1333

**B. Diversity Jurisdiction Cases:**

- 1. Insurance Contract and Other Contracts
- 2. Airplane Personal Injury
- 3. Assault, Defamation
- 4. Marine Personal Injury
- 5. Motor Vehicle Personal Injury
- 6. Other Personal Injury (*Please specify*): \_\_\_\_\_
- 7. Products Liability
- 8. All Other Diversity Cases: (*Please specify*) \_\_\_\_\_

**ARBITRATION CERTIFICATION**

*(The effect of this certification is to remove the case from eligibility for arbitration)*

I, James T. DiMarco, counsel of record or pro se plaintiff, do hereby certify:

Pursuant to Local Civil Rule 53.2 § 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:

Relief other than monetary damages is sought.

DATE: September 14, 2023

/s/ James T. DiMarco  
*Attorney-at-Law (**Sign here if applicable**)*

309242  
*Attorney ID # (if applicable)*

NOTE: A trial de novo will be a jury only if there has been compliance with F.R.C.P. 38.